Tells the Facts and Names the Names

CounterPunch

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New York Times in Epic Climb-Down

CIA: We Knew All Along

The New York Times has taken the first step in what should by rights be one of the steepest climb-downs in journalistic history. We allude to a story by the Slut of Langley, James Risen, which appeared on page five of the NYT, on October 10. The story, headed "CIA Said to Ignore Charges of Contra Drug Dealing in '80s", must have been an unappetizing one for Risen to write, since it forced him to eat rib-sticking amounts of crow.

The CIA, Risen wrote, "repeatedly ignored or failed to investigate allegations of drug trafficking by the anti-Sandinista rebels in the 1980s". Risen went on to report that, according to the long-awaited second volume of CIA Inspector General Fred Hitz's investigation, the CIA had concealed both from Congress and other government agencies its knowledge that the Contras had from the very beginning decided to smuggle drugs to support its operations.

Probably out of embarrassment Risen postponed till his fourteenth paragraph the information from Hitz's explosive report that should rightly have been the lead to the story, which itself should rightly have been on the front page: "In September 1981, as a small group of rebels was being formed from former soldiers in the National Guard of the deposed Nicaraguan dictator, Anastasio Somoza Debayle, a CIA informant reported that the leadership of the fledgling group had decided to smuggle drugs to the United States to support its operation."

Thus does Risen put the lie to all past reports on this topic in the New York Times and his own previous story in the Los Angeles Times parroting CIA and Justice Department press releases to the effect that vigorous internal investigations had entirely exonerated the Agency. In that single paragraph just quoted we have four momentous confessions by the CIA's own Inspector General. One: the Contras were involved in drug running from the very start. Two: the CIA knew the Contras were smuggling drugs into the US in order to raise money. Three: this was a decision not made by profiteers on the fringe of the Contras, but by the leadership. Four: the CIA, even before it got a waiver from the Justice Department, was concealing its knowledge from the Congress and from other US government agencies such as the DEA and the FBI. Remember also that the Contra leadership was handpicked by the CIA, both in the form of its civilian head, Adolfo Calero, and of its military director, Enrique Bermudez.

The fact that the New York Times chose to run this story on the Saturday of a three-day holiday, on an inside page, suggests considerable embarrassment on the part of a newspaper that has had a long history of attacks on those who have charged CIA complicity in Contra drug smuggling, from Senator John Kerry, to Gary Webb, to the present writers in our book Whiteout, The CIA, Drugs and the Press.

From 1986 to 1988 Senator John Kerry of Massachusetts probed allegations about Contra drug running and CIA complicity in same, and issued a 1000-page report. Even while the hearings were under way, the New York

(**CIA**, *continued on page 6)*

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Our Little Secret

Two Deaths Revisited

On the night of September 19, 1961 UN Secretary General Dag Hammarskjold died in a plane crash with 15 others. He was headed to northern Rhodesia (now Zambia) where he was due to parley with Moise Tshombe, who had announced the secesion of Katanga province from the new-born Congolese Republic. Tshombe had been put up to the secession by mining companies and the western powers. The UN's role in the secession had been ambiguous and Hammarskjold's own role somewhat mysterious, but dirty work was always suspected.

Documents surfacing in South Africa's Truth and Reconciliation Commission now indict western intelligence and mining interests in a plot, hatched on South African soil, to kill Hammarskjold, because they feared he would impede plans to destroy any revolutionary option in the Congo. Archbishop Desmond Tutu, head of the Truth and Reconciliation Commission, ordered the documents' release, saying that although their authenticity had not been established, publication would help set an example for more transparency in government.

The documents consist of messages under the letterhead of the South Africn Institute for Maritime Research (SAIMR) describing "Operation Celeste". One message describes a meeting between British MI-5, Special Operations Executive, the CIA and SAIMR, noting that CIA director Allen Dulles "agrees Dag is becoming troublesome and...should be removed."

The documents begin in July of 1960 (only two weeks after Patrice Lumumba formally inaugurated the Congo's independence) expressing alarm about Katanga's possible secession, fearing the UN "will want to get its greedy paws on the province." This is so athwart historical realities at the time that one must approach the documents with considerable reserve. References to MI-5 (Britain's counter-espionage agency) and Special Operations Executive (a British agency active during WWII) do not enhance overall credibility. In one document an unidentified person writes, "I want his [Hammarskjold's] removal to be handled more efficiently than was Patrice [Lumumba]."

As outlined in the documents, the assassination plan involved the placing of explosives in the wheel bays of Hammarskjold's DC-6. When the wheels retracted after take-off, a circuit would detonate the bomb. A document says the device failed, but the plane crashed later as it began its landing run.

In India, the Jain Commission, appointed to investigate the assassination of Rajiv Gandhi, has issued a final nine volume report which suggest possible CIA complicity in the killing of Gandhi. Gandhi was killed on May 21, 1991 by a human bomb prior to giving an election speech in Sriperumbudar in Tamil Nadu state. The bomb was strapped to the body of a Tamil woman named Dhano, who was a member of the rebel group Liberation Tigers of Tamil Eelan (LTTE). Until Gandhi was killed, he appeared certain to reclaim his post as Indian Prime Minister.

The Jain Commission undercovered evidence that the Mossad and the CIA had provided funding, training and intelligence to the LTTE. It recorded evidence of Mossad agents associating with LTTE in the region prior to Rajiv Gandhi's assassination. In a deposition taken by the commission, G.S. Bajpai, then head of the Research and Analysis Wing of the Indian Prime Minister's office, said that in the weeks before the assassination his office had received several tips from Yasir Arafat that a CIA/Mossad plot against Gandhi was in the works. Bajpai admitted that the Indian government he served in took no action on the matter. The Jain Commission's findings have not been reported in the US press.

How an Oil Company Values Life

In August of 1994, three workers were killed and another three injured when they inhaled poisonous fumes at an oil field in California run by a company called Vintage Petroleum. Last month, a judge ruled against the company and said the deaths resulted from its negligent safety practices.

The judge, Barbara Lane, is now hearing arguments over the size of damages that should be awarded to the surviving victims and the families of the deceased. Attorneys for Jason Hoskins, a 22-year-old whose wife was eight months pregnant when he died back in 1994, have asked for $7 million.

Vintage's response? Through its attorney, Bruce Finck, the company has magnanimously offered Hoskins's family - which includes his widow, Jason's daughter Sierra, now 4, and a stepdaughter — $125,000. Finck has argued in court that Hoskins was a mere high school graduate, had substantial personal debts, was working in a "declining" industry and hence would never have amounted to much anyway. The attorney said that Vintage should have to pay no damages at all to the stepdaughter since she was not a blood relative.

The Hoskins family's request was "remarkable", Finck went on to say in portraying them as a bunch of heartless chiselers out to bilk Vintage: "In this ethereal, emotion-laden field we can build these hyperbolic arguments and get more money."

Vintage and Finck are also fighting a request for $4.2 million in damages from Derek Abbot, one of the injured workers. Abbott, now 22, underwent a series of operations following the accident and still suffers from blurred vision, headaches and dizziness. He said during the trial that one of the operations "felt like somebody was

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hammering nails into my head". Finck suggests that Abbot's ailments stem from a motorcycle accident suffered while he was in high school.

So, if Jason had lived to three-score years and ten, Vintage rates his yearly earning prospects at around $2,600 a year. Who says the system's unfair!

Judge Lane isn't expected to rule on the question of damages until November. We'll keep our readers posted on Vintage's calculations on the value of its workers.

McDOUGAL UPDATE

In our June 1-15 issue, we broke the news that the death of Jim McDougal, President Clinton's business partner and a key witness in the Whitewater affair, was caused by medical negligence. Our account was based on letters we received from an inmate at the Federal Medical Center in Fort Worth, the prison where McDougal was being held on charges of conspiracy to defraud the government. Now the case has received national attention, with everyone from Associated Press to George magazine reporting the story. (The latter hailed its account as an "exclusive", despite publishing its story about four months after CounterPunch readers got the news).

Exactly as we reported, McDougal was taken to an isolated cell - an area called "The Hole" - without a number of prescribed medications, including several that could have helped him after he suffered a heart attack. Prison officials have now lamely explained that they never found the medications because, being sensitive souls, they didn't want to wake up McDougal's cellmate in the ailing man's regular cell, while they searched for medicine. Our charge that prison authorities were fully aware that McDougal had difficulty in providing urine samples upon demand - his failure to do so is what led him to be taken to isolation - has now also been conceded by the medical center.

Last month it turned out that a prison doctor is being investigated for failing to check on McDougal the night before he died. Just another day at a facility where health care is so rotten that prisoners call their home the "Pine Box Medical Center".

YOU SAY YOU WANT GOOD NEWS?

Pete Seeger, a loyal CounterPunch reader, urges us to print the good news along with the bad. He's right. Our side brings in a resounding victory from time to time and of course they're heartening. So here's one for you. Shintech, the Japanese chemical company, has thrown in the towel. CounterPunch readers who have been following this saga will be pleased to hear that in September company officials announced they had abandoned plans to build one of the world's largest polyvinyl chloride plants in the small black hamlet of Convent, Louisiana. Shintech's plans for the site, which sits in the heart of cancer alley, met with furious local opposition. Residents complained that the surrounding oil refineries, chemical plants

Yes, the little guys did bring Shintech's mega-toxic project to its knees. And, yes, we were right about McDougal.

and fertilizer facilities had already combined to make the local parish the most toxic in the nation.

But Shintech enjoyed the unwavering support of Louisiana's millionaire governor Mike Foster, whose bank account is flush with funds from the sugar and oil industries. Foster handed out more than $100 million in tax breaks to the company and lowered its regulatory hurdles.

On the verge of defeat the residents of Convent turned to the Tulane University Environmental Law Clinic for help. The clinic is run by law professor Robert Kuehn and staffed by law students at the school. Together they crafted a series of law suits and administrative challenges against the chemical plant and the Environmental Protection Agency. Among these filings was the first law suit trying to enforce the high-minded language of an executive order on environmental justice issued by President Clinton in 1994.

The law clinic's involvement in the matter outraged Foster. He vowed revenge. Calling the law clinic's action a threat to the state's economic growth, Foster threatened to revoke Tulane's tax status, encouraged corporate donors to withhold contributions to the university and instructed the Louisiana Supreme Court to investigate the operations of the clinic.

In a move that sparked protests from academics and legal scholars, the Supreme Court earlier this year exhibited its fealty to the governor and his corporate cronies by ruling that law clinics staffed by unlicensed law students could no longer represent low-income communities, such as Convent.

Even so, Shintech and Foster were defeated by a sustained legal assault and magnificent community organizing. The chemical giant has retreated from Convent, but not entirely from doing business in the state. Shintech has unveiled plans to construct a scaled-down PVC plant further up the Mississippi River in Iberville Parish, next to a huge Dow Chemical plant. The chastened company has at least learned a public relations lesson. They've already recruited the Keystone Center (a Colorado-based greenwashing/negotiating outfit) to come into the new community as an advance team, attempting to pacificy potential opposition.

But the Law Clinic remains on the case. "Another battle will be joined as they try to permit the new site, " Bob Kuehn says. "But with our recent victories, we may start to see a change in corporate behavior as a result of community efforts to raise environmental justice issues."

DAVID AND JONATHANS

The Jonathan Broder described unflatteringly in our last issue of CounterPunch is, amazingly, not a blood relative of David Broder, the Polonius of 15th St. We had assumed that two souls so equally balanced in pomposity must have a genetic tie. Not so. The J. Broder who sprang from D. Broder's loins works at the New York Times.

SOON, WE PROMISE

CounterPunchers who plonked down money for Whiteout are now impatiently shouting Where Is It? It's not our fault! Demand for this powerful work is so intense that the book is already reprinting, and our order of 400 copies is just now heading our way. For those of you who haven't availed yourself of our discount, let us note that we make Whiteout available for $18, postage included. You'll never do better. Get your Christmas orders in now. So far as the Whiteout tour is concerned, Cockburn will speak at Modern Times bookstore in San Francisco on October 22. Cockburn and St. Clair will be at Cody's in Berkeley on November 3, which happens to be election day, so best vote early. St. Clair will be speaking on October 24 at Howard's Books in Bloomington, Indiana; on October 25 at Borders in Indianapolis and on October 26 at Barnes and Nobles in Louisville, Kentucky. ■

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Workers and "The Rule of Law"

Shipyard Economics: $9.45 an hour plus food stamps

These days Capitol Hill echoes with the voices of members of Congress proclaiming their fidelity to the rule of law. Elsewhere on the Hill Rep. Peter Hoekstra of Michigan, a Republican who has been witch-hunting labor unions for the past few years, is calling for further Justice Department probes into conversations between former deputy White House chief of staff Harold Ickes and strikers at the Diamond Walnut Growers Coop, a huge western agribusiness.

To gain a sense of perspective on "the rule of the law" and on the rights of labor at this hour, no parable could be as instructive as the recent history of efforts to form a union at the Avondale Shipyards in Louisiana, on the Mississippi.

In 1993 Avondale workers voted to join the New Orleans Metal Trades Council. In these days of management threats and crude efforts to subvert such votes, the union organizers scored an extraordinary victory in a region particularly noted for its virulent "right to work" status and its anti-union posture.

Five years later, efforts by the owners of Avondale to deny the rule of law have resulted in the largest case in the history of the National Labor Relations Board, founded in 1935. These owners have refused to recognize the election, have refused to bargain and have unrelentingly fought the NLRB's decision, which accepted the union vote as legitimate. Amidst this recalcitrance on the part of Avondale's owners, a federal Administrative Law Judge found the company guilty of more than a hundred unfair labor practices, imposed $3 million in fines and ordered the reinstatement of 28 workers fired for union activities. This judgement too is being appealed by Avondale.

Now, Avondale is no offshore company, flouting the rights of workers in some distant part of the globe. Not only does it lie within the jurisdiction of US law, but its main customer is the US Navy. Avondale builds 60 per cent of all US amphibious assault ships. It makes half the nation's Strategic Sealift ships and since the beginning of the present labor conflict in 1993 it has received $2.73 billion in US government contracts. Avondale has additionally received at least $98 million in subsidies from the state of Louisiana, in such forms as tax abatements, R&D assistance through the University of New Orleans and tax exempt bonds.

Nor can this company, as it battles unionization, claim that it teeters on the edge of bankruptcy and that the slightest hike in its wage bill will finish it off.

Avondale's income is up 400 per cent since the union vote, yet it continues to be the lowest-paying shipyard in America.

Avondale's income is up 400 per cent since the union vote, yet it continues to be the lowest-paying shipyard in America. At Pearl Harbor skilled shipyard workers make $21.74 an hour. In Ingall's shipyard in Pascagoula, Mississippi, skilled workers make $14.07 an hour. At Avondale, which alone among the largest shipbuilders is without a union, the skilled workers make $9.45 an hour.

What this means is that the average Avondale worker with a family of four qualifies for food stamps despite working a 40-hour week. All these figures come courtesy of the AFL-CIO which has made Avondale the center-piece of its right-to-organize campaign. News reports citing these figures have not been challenged by Avondale.

The ill-paid workers at Avondale haven't been able thus far to enjoy the always nebulous protection of US labor law and of regulations on health and safety. The federal Occupational Safety and Health Administration has cited Avondale for having an injury rate at least twice the average in private industry. Since 1990 three times as many workers have been killed on the job at Avondale as at any other major navy shipyard.

Avondale strips more than one illusion away from the basic capitalist business of extracting surplus from workers. Back in 1985 the owners set up an employees' stock ownership plan, or ESOP- a scheme adored by some progressives. At that time the workers therefore owned, on paper, the company, and their pension money was invested in it. The catch has been that the company's board of trustees, which includes no workers, has sold off so many of the employees' shares that today the workers hold only 13 per cent of the stock. Some workers, after 30 years in the shipyard, are receiving pensions as low as $83 a month.

So, as Rep. Hoekstra snarls about Harold Ickes daring to talk to striking workers, and about a call from Mickey Kantor to Diamond Walnut at a time he was US Trade Rep, we see a government-subsidized company rewarded for punishing its workers. We see the Secretary of the Navy doing nothing. We see Rep. Robert Livingstone, a Republican from Louisiana pushing for additional Pentagon contracts from Avondale, a demand muscled by his rank as chairman of the House Appropriations Committee.

And we see Al Gore, who has taken to thundering his devotion to workers' rights, acting as if the government has no power to intervene in a situation where workers' rights are being violently abused. Rep. Hoekstra should summon all these enemies of working people and congratulate them warmly for their performance.

The rule of law? As Harry Lee Thompson Jr, a pipefitter at Avondale put it: the workers have "lost all faith that the law works. Really, if you get right down to it they're right. It seems like America's laws just don't apply to us." ■

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Grandstanding on Terror

The House vs. Assata Shakur

In these difficult times for the republic, it's reassuring to learn that the House of Representatives can still summon the political will to indulge in anti-communist posturing. In mid-September, taking time out from ponderous pronouncements about decency, America's children and the President's genitals, the House by a vote of 371-0 passed HR 254, which calls on the government of Cuba to extradite Assata Shakur, formerly known as Joanne Chesimard.

In 1973 Assata Shakur, a well-known black activist and critic of racism and police brutality, was pulled over while driving on the New Jersey Turnpike by state police troopers who, according to Shakur, shot her with her hands raised and then shot her in the back. One of Shakur's companions was killed, another seriously wounded and a state trooper was also killed. An all-white jury inflamed by demagogic politicians and a press bent on her conviction, ignored the ballistics evidence supporting her story and convicted Shakur of murder. She was given a life sentence. Convinced that she would never get out of prison alive because of the animosity of both judges and prison guards towards her, Shakur escaped to Cuba, where she has lived ever since. (Even today, New Jersey State Troopers have a bad reputation for targeting blacks, latinos and other minorities. In April of 1998 troopers shot into a van carrying a group of blacks and latino basketball players on their way to a try-out.)

The speciousness of the House's accusations against Shakur aside, the hypocrisy of the legislators is breathtaking. If there is a place in the world that terrorists can call home, it is the United States. Our country gives refuge to convicted criminals such as Orlando Bosch, who helped blow up a Cubana airliner in 1976, killing 76 people. Bosch is currently living in Miami. The United States has refused Cuba's request to extradite Bosch and also Emmanuel Constant, the former head of the Haitian paramilitary organization FRAPH.

The House vote ignores the legal provisions of US treaties governing international extraditions. The US government understands that Cuba has neither the intention nor the obligation to extradite Shakur; yet the opportunity to grandstand against "terrorism" was too tempting to pass up.

New Jersey governor Christine Todd Whitman kicked off the spectacle, when she announced a $100,000 bounty for anyone who could bring Shakur to the United States, presumably alive or dead. This offer was tantamount to soliticing kidnapping or murder.

Gov. Christine Todd Whitman offers bounty hunters $100,000 for Shakur, dead or alive.

Then State Department spokesman Jamie Rubin demonstrated a similar lack of respect for due process—and destroyed any illusion that Shakur would be treated fairly if she were returned to the US—when he was asked about the extradition of Shakur and others from Cuba. "There are several people involved here", Rubin said, laughing, "and I'm fearing that I will mess up their names; but since they are prisoner-escapees, I'm not going to worry about it much."

The fact remains that the United States is bound by the terms of its 1926 extradition treaty with Cuba. Article VI of that treaty states that "a fugitive criminal shall not be surrendered...[if]...the request for surrender has, in fact, been made with a view to try to punish him for an offense of a political character." Refusal to extradite on Article VI or "political offense" grounds cannot be questioned or overruled. According to the treaty, the decision of the country holding the fugitive is "final".

This is the very provision invoked by the US when it refused to return to Cuba two escaped murderers who had been convicted of killing a prominent member of the Cuban Communist Party in 1959. Cuba invokes it now to turn down the US request for Shakur's extradition.

Footnote: among those voting Aye on extradition were Bernie Sanders, Barney Frank, members of the Congressional Black Caucus, including John Conyers, Maxine Waters, Carrie Meek and some former Black Panthers. Attorney Michael Ratner wrote a letter to many of these legislators, outlining the issues at stake. Thus far only Maxine Waters has taken the trouble to respond in detail. She explains that this had been among supposedly "non-partisan" bills that members put their names to. Now she knows its malign content she is retracting her support and is taking other measures to express her strong dissent. ■

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(CIA, *continued from page 1)*

Times belittled his investigation in a three-part series by its reporter Keith Schneider, who attacked Kerry for relying on the testimony of pilots, many of them in prison. Some months after this series was published Schneider was asked by the weekly paper In These Times why he had taken that approach. Schneider replied that the charges were so explosive that they could "shatter the Republic. I think it's so damaging, the implications are so extraordinary, that for us to run the story, it had better be based on the most solid evidence we could amass." In other words, a written confession by the Director of Central Intelligence.

And now, over a decade later, we have a written confession from the CIA's Inspector General about the "explosive" and the "extraordinary" charges and the story ends up on an inside page on a Saturday.

The New York Time's vilification of Gary Webb was obsessive and even in the midst of his October 10 climb-down Risen cannot resist another stab at the man. Two weeks earlier the NYT Book Review featured an article on Whiteout and Webb's book Dark Alliance. The author was James Adams, a Washington-based hack who used to eke out a twilit existence as correspondent for the Murdoch-owned London Sunday Times before transferring from that lowly billet to the ignominious function of relaying Agency handouts and news droppings from Congressional intelligence committees for UPI.

Adams levelled two charges against Whiteout, to the effect that there was no evidence that any Contras were running drugs, and that our book could not be taken seriously because we had not solicited a confession of guilt from the Agency. In fact, as long ago as 1985, reporters accumulated and published evidence of Contra drug running. Among these reporters were Bob Parry and Brian Barger of Associated Press, and Leslie Cockburn in documentaries for CBS. So far as Agency confessions are concerned, Whiteout, completed in late June and published at the start of September, contained precisely the main thrust of the Inspector General's conclusions in the second volume, now discussed by Risen, Hitz anticipated this written report in his verbal testimony to Congress in May, where he acknowledged the Agency's knowledge of Contra/drug links and also disclosed that in 1982 CIA director William Casey had gotten a waiver from Reagan's attorney general, William French Smith, allowing the CIA to keep secret from other government agencies its knowledge of drug trafficking by its assets, contractors and other Contra figures.

The Times would only settle for a written confession by the Director of Central Intelligence.

Unlike the Washington Post, the New York Times never reported Hitz's sensational March, 1998, testimony, and in his October 10 story Risen disingenuously fails to mention the 1982 waiver Hitz disclosed at that time. The omission has the effect of implying that the Agency was somehow acting in a "rogue" capacity, whereas the 1982 waiver shows clearly that the Reagan presidency was foursquare behind the whole strategy of concealment of what the Agency was up to. As we have written on the opening page of Whiteout: "Whether it was Truman's meddling in China, which created Burmese opium kings; or the Kennedy brothers' obsession with killing Fidel Castro; or Nixon's command for 'more assassinations' in Vietnam, the CIA has always been the obedient executor of the will of the US government, starting with the White House.

For readers of the New York Times in its home port, the newspaper's climb-down was not nearly as drastic as in the edition distributed in the Washington, D.C. area. The edition available in New York City did not have the fourteenth paragraph (quoted above) nor indeed five other concluding paragraphs. Why? A Times editor simply chopped them off to allow space for a large Bloomingdale's ad for a rug sale, thus confirming the truth of A.J. Leibling's observation years ago that the news diet of New Yorkers depends entirely on a bunch of dry goods merchants. The full story was also available on the New York Time's web-site, but not on the Lexis-Nexis database, where it ends at the thirteenth paragraph, plus a bland and uninformative final three-line resume of the missing material. Nexis is where most people looking for Risen's story will go. ■

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